

## Election Observer Panel Plan Template

### **I. County and System Information**

1. Name of County *Del Norte*
2. Name of Contact *Vicki Frazier*
3. Contact's Phone *707-465-0383*
4. Vendor and Voting Systems Used by County - *Sequoia / Edge II & Insight*
5. Date *5/11/09*

*See Attached.*

### **II. Purpose**

The purpose of an Election Observer Panel is to:

1. Provide the public with the opportunity to observe and make suggestions on ways to improve the election process.
2. Help ensure the integrity of the election process.
3. Remove some of the mystery associated with the election process in an effort to build voter confidence and encourage more people to take part.

### **III. Invite**

Between E-60 and E-30, prepare letters of invitation (see sample attached) to the following:

1. County Grand Jury
2. Political Party Central Committee Members
3. Advocacy Groups
4. League of Women Voters

Other groups or individuals expressing an interest in observing Election Day activities may also be included in the observer panel.

Note: You might want to consider offering to meet with groups to provide an opportunity for the group members to ask questions about the process.

### **IV. Appointment Letters (for introduction to precinct workers)**

After the groups have provided the names of interested panelists, prepare letters of introduction (see sample attached) for the panelist to use when visiting polling places on Election Day. Materials to be prepared for each panelist will include a listing of all polling places within the county for that specific election as well as the central counting site location and hours of operation.

### **V. Mechanism for Feedback**

Consider providing observers with a checklist and/or questionnaires to be completed and returned to you.

## POLL WATCHERS/OBSERVERS

Poll observers have the right to view all procedures at a polling location and/or at the central counting location. **Please be courteous to our Election Officers as they are working a very long day and doing their very best. Remain quiet and do not disturb Election Officers or Voters.** Although observers are allowed by law, there are rules and guidelines that must be followed.

### OBSERVERS MAY:

1. Observe the proceedings at the polls, including the opening & closing procedures.
2. Obtain information from the Precinct Indices that are posted near the entrance.
3. Look at the Precinct Roster at the worktable (ONLY IF the Election Officers are not using it and there are no voters waiting to vote).
4. Make notes and watch all procedures.

### OBSERVERS MAY NOT:

1. Interfere in any way with the conduct of any election.
2. Converse with Elections Officers or Voters in such a manner as to interfere with or delay the voting process. (Questions regarding the election process shall be directed to the County Clerk/Chief Election's Official, not any Poll worker or Election's staff.)
3. Touch any voting materials or equipment or sit at the official worktable.
4. Use the area between the official worktables, voting booths and ballot return area as an observation point/post.
5. Intimidate or impede Elections Officers or Voters in any way.
6. Interfere with the timely closing of the polls or transmission of the votes to central counting.
7. Converse with Voters (within 100 feet of the entrance to a poll) relating to the casting of a vote, display any election material, wear candidate badges or speak to a voter relating to their qualifications to vote.
8. Use cellular telephones, pagers or two-way radios inside the polling place, and/or within 100 feet of the entrance to the polling place.
9. Monopolize and/or remove the posted Precinct Indices so that others are unable to use them.
10. Use telephone or other polling place facilities.

11. Smoking is not permitted inside the polling place.

### OBSERVERS WILL BE ASKED TO:

1. Wear identification badges.
2. Complete a sign-in sheet indicating their name and the times they are present to observe.

### NON-COMPLIANCE WITH RULES:

1. If an observer declines to observe the rules, the Inspector shall ask the observer to leave the polling location.
2. If the observer fails to follow the directions of the Inspector, the Inspector shall contact law enforcement.

### PERTINENT CODE SECTIONS:

1. Interference with Election Officers: **Any person who in any manner interferes with the Officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is punishable by imprisonment in the state prison for 18 months or two or three years. (E.C. Section 18502)**

Only Poll workers have the right to challenge a person's eligibility to vote at the polls. A challenge may be made only upon sufficient probable cause. Poll workers are instructed to report the presence of any persons or signs which may be intimidating to voters or cause interference with the voting process to the Registrar-Recorder/County Clerk Department. (E.C. Section 14240)

The use of force, violence or tactic of coercion or intimidation to compel a person to refrain from voting at any election is a felony punishable by imprisonment in state prison. (E.C. Section 18540)

2. Damaging or tampering with voting equipment or official election materials in a polling place is a felony, punishable by imprisonment for 2, 3 or 4 years. (E.C. Section 18564)

3. Electioneering is not permitted within 100 feet of the polling place; that is, within 100 feet from the entrance or door to the room or rooms in which voters sign the roster and cast their ballots. Exit polling is permitted, however, no closer than 25 feet of the polling places by news media or other organizations surveying voters as to how they voted. Media may come into a poll to film or interview voters, including voters in the booth, as long as the voter consents and there is no disruption to other voters or the voting process. (*E.C. Section 18370 and A.G. Opinion*)

Only Poll workers can post signs within 100 feet of a polling place.

4. Talking in loud voices, disruptive behavior which causes confusion or the congregating of excessive numbers of persons inside the polling place is not permitted. Onsite telephones or other facilities are not available for the use of poll watchers.
5. Wearing campaign badges or taking campaign material or literature into the polling place is not permitted.
6. Poll watchers may not sit at the official table. (*E.C. Section 14223(a)*)
7. The area between the official table and the voting booths is accessible to voters only and may not be designated as an observer post. (*E.C. Section 14221*)
8. Indexes marked to indicate persons who have voted are posted for reference by the public. Signature rosters may be inspected at any time provided there is no interference with poll operations or delay or inconvenience to the voters. (*E.C. Sections 14202 & 14223(b)*)
9. The American Flag must be prominently displayed (regardless of weather conditions) during all polling hours. (*E.C. Section 14105(f)*)
10. At the opening of the polls the ballot box must be opened, exhibited to be empty, closed and then shall remain in the polling place until the transportation to central counting center. (*E.C. Section 14215*)

11. If a polling place is inaccessible to a voter with a disability, the voter may vote a ballot outside the premises in an accessible area as near as possible to the polling place. (*E.C. Section 14282(c)*)
12. Voters may request and receive assistance in voting if they declare under oath that they are unable to mark their ballots. (*E.C. Section 14282(a)*)
13. A voting booth may not be occupied by more than one person at a time unless a person is assisting the voter as provided by law. Nothing prevents a voter from being accompanied by a child under the age of 18 years while within the voting booth area if the child is under the voter's care. (*E.C. Sections 14281, 14222 and 14224*)

## POLL WATCHER/OBSERVER SIGN-IN SHEET

	NAME	Political Party, Organization or Committee Observing for	Time In	Time Out
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